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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/813,247	03/07/1997	MITSUHIRO AIDA		3212

7590

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EXAMINER

HONG, STEPHEN S

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 05/26/2004

63

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/813,247

Applicant(s)

AIDA, MITSUHIRO

Examiner

Stephen S. Hong

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 104-121 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 104-121 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Part III DETAILED ACTION

1. This action is responsive to communications: RCE and remarks filed on February 27, 2004 to the application, filed on 3/7/97, which is a continuation of 08/330,573, filed on 10/28/94.

2. Claims 104-121 are pending in this case. Claims 104, 109, 113 and 118 are independent claims.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119, which papers have been placed of record in the file.

Drawings

4. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification

5. Examiner requests that Applicant review the application carefully for informalities including typographical errors and awkward languages that may resulted from translation.

Claim Rejections - 35 USC 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 104-108 and 113-117 remain rejected under 35 U.S.C. 102(b) as being anticipated by O'Dell, U.S. Pat. No. 5,109,352, 4/92.

As per Claims 104-108, 113-117, O'Dell discloses the claimed invention of:

entering and storing a plurality of lines of text and original words in a dictionary and replacing the entered lines of text with the unique line of text or the original word without using a special function key; identifying a plurality of lines of text with the same stem, and determining the word; random access storing the plural lines of text and the unique line of text. Referring to O'Dell, O'Dell teaches a word processor to enter a plurality of lines of text (FIG.10). O'Dell stores the plurality of characters in a Chinese or Japanese (or European) character dictionary, and allows the user to enter the strokes (item 50 in FIG.10) . FIG.5 shows the plurality of lines of words with the same initial stems, giving the user the visual feedback of the strokes entered for the character input.

Claim Rejections - 35 USC 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 109-112 and 118-121 remain rejected under 35 U.S.C. 103(a) as being unpatentable over O'Dell in view of Shimizu et al., U.S. Pat. No. 5,870,492, 2/99 (filed 6/92).

Claims 90-92, 100-103 and 109-112, 118-121 recite substantially similar limitations as claims 63-68, 72, 73-78, 82 and are similarly rejected. However, O'Dell does not explicitly teach the use of handwritten input. O'Dell uses the keyboard to represent the strokes for the characters (FIG.1E). Nevertheless, the use of hand writing input (e.g., using a stylus, tablet, pen) was extremely well known in the computer art at the time of the invention. With respect to the missing limitation, Shimizu teaches the following pertinent features. Like O'Dell, Shimizu teaches inputting the Chinese or Japanese characters for text processing. Shimizu explicitly points out that in inputting the Japanese characters, it is difficult to input by hand and write the characters that are

similar in shapes (col.1, lines 20-30). Shimizu then teaches the solution where the candidate characters are displayed as the user inputs the strokes by hand writing (col.2, lines 1-15). Furthermore, Shimizu allows the user to select the desired character without having to use the special character (col.2, lines 15-25). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have envisage using O'Dell's system to take handwritten inputs of Shimizu, in order to accommodate the widely used pen-based computing systems to effectively enter the foreign language characters with similar shapes.

Response to Arguments

10. Applicant's arguments filed February 24, 2004 have been fully considered but they are not persuasive.

In the argument, Applicant argues that O'Dell claims do not correspond to any claim of the present invention. Applicant points to Fig. 5 of O'Dell as showing the discovery, as stated in the O'Dell specification, in col.10, lines 20+. On page 3 of the argument, Applicant states that "Applicant understands that the Patent was given to what is utilizing the discovery." However, it is not clear what is being argued by asserting "the discovery." Nevertheless, Examiner would like to reiterate that it is the "claims" that define the scope of a given patented invention. Therefore, it is the claims of the Applicant's current pending claims that must distinguish the differences from the cited prior art such as O'Dell.

Therefore, the argument that O'Dell's claims have to correspond to the Applicant's claims not persuasive. Any part of O'Dell's reference, in addition to the claims, can be used to show an evidence of the prior art. Furthermore, Applicant argues that, on page 3, the candidate words in O'Dell have not relation [in meaning) to each other. Examiner understands the argument. However, there is nothing in the claims that require such distinction. For example, in claim 104, in line 5, what is claimed is "identifying plural lines of text with the same first part which includes said entered line of text..." That is, all that the claimed feature requires is that the candidate words share the entered "first part" of text. Clearly, O'Dell's input system does this. The fact that the candidate words of O'Dell may have different meanings and thus have no meaningful relationship with each other is irrelevant to the claimed limitation. Therefore, the Applicant's arguments are not persuasive.

Furthermore, the argument, with respect to the rejection under 35 USC 103(a) as being unpatentable over O'Dell in view of Shimizu et al., Applicant argues that Shimizu relates to the hand-written character recognition, and O'Dell does nothing for the recognition. The Applicant's arguments are not persuasive. O'Dell teaches inputting Chinese characters to a computer system using a keyboard based input. And, the reference of Shimizu was applied to show that it was well known to use a hand-written method to input the Chinese characters in addition to using a keyboard. Thus, the incorporation of Shimizu was to show that it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have input O'Dell's


Chinese characters using the well known hand-written input method. Thus, the Applicant's arguments are not persuasive.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen S. Hong whose telephone number is (703) 308-5465. The examiner can normally be reached on Monday to Friday, 9:00am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Stephen Hong
Primary Examiner
Art Unit 2178
May 24, 2004